

product to be misbranded, and it was ordered by the court that it be released to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$800, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9660. Misbranding of Bourbon hog cholera remedy. U. S. \* \* \* v. 3 Packages Gallon, 6 Packages Half-Gallon, and 11 Packages Quart [Size], and 8 Bottles of \* \* \* Bourbon Hog Cholera Remedy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 11421, 11422. I. S. Nos. 6419-r, 6420-r. S. Nos. C-1516, C-1517.)**

On October 9, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 packages, gallon size, 6 packages, half-gallon size, 11 packages, quart size, and 8 bottles of Bourbon hog cholera remedy, at Xenia and Miamisburg, Ohio, respectively, consigned by the Bourbon Remedy Co., Lexington, Ky., on or about August 2 and 30, 1919, respectively, alleging that the article had been shipped from Lexington, Ky., and transported from the State of Kentucky into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "The Famous Blue Grass Hog Remedy Health To Hogs Bourbon Hog Cholera Remedy \* \* \* For Cholera, Worms, Scours, Cough, Thumps \* \* \* In Treating Hogs for Cholera with this medicine \* \* \* The Doses as Prescribed have been found to produce \* \* \* beneficial effects \* \* \* to Cholera Infected Hogs \* \* \* Hogs That are Too Sick to Eat should be drenched \* \* \* with a tablespoonful of medicine mixed in \* \* \* milk or gruel. \* \* \* For Hog Cholera \* \* \* Treat Apparently Well Hogs in infected herds the same as sick ones. \* \* \* For Worms in Hogs \* \* \* As a Preventive Against Disease \* \* \* Caution This package contains enough medicine to treat \* \* \* cholera infected hogs for a sufficient length of time to effect a cure"; (folder) "\* \* \* For Cholera, Worms, Cough, Thumps \* \* \* This remedy is produced by a combination of mineral salts and acids which forms a powerful internal germicide. \* \* \* From ten days to two weeks' treatment is usually required to effect a cure, according to the virulence of the disease and the condition of the animals when treatment is begun. \* \* \* It can be used as a worm destroyer, \* \* \* preventive against disease \* \* \* Bourbon Hog Cholera Remedy is certain death to all worms and disease-breeding parasites in hogs \* \* \*"; (testimonials) "The cholera infected hog that I treated with Bourbon Hog Cholera Remedy was entirely cured. \* \* \* For several years I have been treating cholera hogs with Bourbon Hog Cholera Remedy and have never lost a case of hog cholera that I have treated with this remedy. \* \* \* After losing sixty-five hogs out of ninety with cholera, I treated the remaining twenty-five sick ones with Bourbon Hog Cholera Remedy and lost only one hog. \* \* \* My hogs had the disease and Dr. Jas. A. Giblin treated them with Bourbon Hog Cholera Remedy and saved them all. \* \* \* We have been feeding Bourbon Hog Cholera Remedy to our hogs and find it to be a sure worm exterminator. \* \* \* My hogs had cholera \* \* \* I then gave them Bourbon Hog Cholera Remedy and did not lose a hog. \* \* \* My neighbors' hogs have died with cholera all around me. I have four hundred hogs and I have given them Bourbon Hog Cholera Remedy and it has kept them safe from disease. \* \* \* It is simply wonderful to realize how sick hogs can get with cholera and then be cured with Bourbon Hog Cholera Remedy. Hogs

here have been dying by the hundreds and everything failed until this remedy was used. All who have used it have received the best results \* \* \*"; (leaflet) "Famous Remedies. Bourbon Hog Cholera Remedy The Famous Blue Grass Hog Remedy that has been used with unusual success in the treatment of cholera in hogs. It possesses wonderful antidotal and purifying properties which prevent, arrest and cure infectious disease among swine, simply by destroying the organisms that produce these ailments."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of aloes, iron sulphate, magnesium sulphate, copper sulphate, sulphuric acid, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements regarding the curative or therapeutic effect thereof, appearing on the cartons and in the labels, circulars, booklets, and leaflets, were false and fraudulent in that the said article contained no ingredients or combination of ingredients capable of producing the effects claimed and in that the said article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the said statements.

On March 10, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9661. Adulteration and misbranding of Pepso-Laxatone. U. S. \* \* \* v. 45 Bottles \* \* \* of Pepso-Laxatone \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11563. I. S. No. 12411-r. S. No. C-1653.)**

On December 23, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 45 bottles, more or less, of Pepso-Laxatone, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by the Burlingame Chemical Co., Los Angeles, Calif., on or about October 15, 1919, and transported from the State of California into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained licorice, hydrochloric acid, glycerin, alcohol, water, and traces of pepsin, cascara, and sugar. Diastase and pancreatin were absent.

Adulteration of the article was alleged in the libel for the reason that it was not the standard and quality under which it was sold, since it contained negligible quantities of pepsin and only a trace of cascara extract and no diastase nor pancreatin.

Misbranding was alleged in substance for the reason that the statement appearing in the labeling of the said article, "Pepso-Laxatone is a solution of Pepsin, Diastase, Pancreatin \* \* \* to which is added to each fluid ounce 60 grains of fluid extract of Cascara Sagrada," was false and misleading. Misbranding was alleged for the further reason that the statements appearing in the labeling, "A Digestant Laxative \* \* \* An efficient combination of agents for the permanent relief of habitual Constipation, Gastric Disorders and Indigestion," were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.